

REMARKS

The Office Action mailed on July 22, 2004, has been reviewed and the comments of the Patent and Trademark Office have been considered. Prior to this paper, claims 1-4 and 6-27 were pending. By this paper, Applicants cancel claims 1, 8, 16, 18 and 24-25 without prejudice or disclaimer. Therefore, claims 2-4, 6-7, 9-15, 17, 19-23 and 26-27 remain pending in the present application.

Applicants respectfully submit that the present application is in condition for allowance for the reasons that follow.

Indication of Allowable Subject Matter

Applicants thank Examiner Quan for the indication that claims 2, 4, 9, 13, 19, 20, 22, 23 and 26 contain allowable subject matter.

Specification Objections

In the Office Action, the specification was objected to. As seen above, Applicants have amended the specification. Reconsideration is respectfully requested.

Claim Objections

In the Office Action, claims 16 and 27 are objected to as being in improper dependent form. As seen above, Applicants have cancelled claim 16 without prejudice or disclaimer.

In regard to claim 27, Applicants respectfully traverse the rejection, and respectfully submit that the language “**adapted to** automatically . . .” should be given patentable weight as a structural limitation because the claim presents structural attributes of the present invention.

In support of this assertion, Applicants rely on the last paragraph of MPEP § 2173.05(g), which states that “the Court held that limitations such as ‘members adapted to be positioned’ and ‘portions . . . being resiliently dilatable whereby said housing may be slidably positioned’ serve to precisely define present structural attributes of interrelated component parts of the claimed assembly. *In re Venezia*, 530 F.2d 956, 189 USPQ 149 (CCPA 1976).” (Emphasis added) Therefore, in view of MPEP § 2173.05(g), claim 27 does indeed present structural attributes of the present invention. Reconsideration is respectfully requested.

Rejections Under 35 U.S.C. § 112, Second Paragraph

Claims 1-3, 6-23 and 25 were rejected under 35 U.S.C. §112, second paragraph, as being indefinite. In response, Applicants have amended the claims as shown above, and respectfully request reconsideration.

Applicants thank Examiner Quan for suggesting changes to the claims that would remove the claim rejections under the above mentioned statute.

Claim Rejections Under 35 U.S.C. §103(a)

In the Office Action, Claims 1, 6-8, 10-12, 14-17 and 24 are rejected under 35 U.S.C. §103(a) as being unpatentable over Brimhall (USP 5,665,047) in view of Kobayashi (USP 5,322,497), while claim 3 stands rejected under the same statute as being obvious in view of the just mentioned references when further combined with Goodman. Claim 18 stands rejected under under 35 U.S.C. §103(a) as being unpatentable over Kobayashi in view of Brimhall when combined with Knudsen or Harrison while claim 21 stands rejected under this reason or in view of the further combination with Laub, while claims 25 and 27 are rejected under the same statute in view of the combination of Kobayashi in view of any of Prais or Wright or Hankey.

In response, in order to advance prosecution, Applicants have cancelled the rejected independent claims without prejudice or disclaimer, placed claims indicated as containing

allowable subject matter into independent form, and amended the dependencies of rejected dependent claims to depend from allowed claims or to depend from claims indicated as containing allowable subject matter. Applicants respectfully submit that the present application is in condition for allowance in view of these amendments. Allowance is respectfully requested.

Conclusion

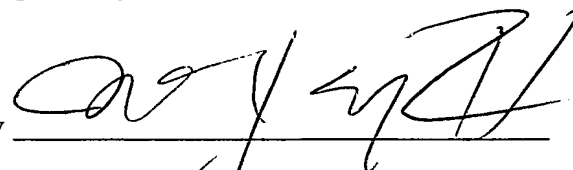
Applicants believe that the present application is now in condition for allowance. Favorable reconsideration of the application as amended is respectfully requested.

The Commissioner is hereby authorized to charge any additional fees which may be required regarding this application under 37 C.F.R. §§ 1.16-1.17, or credit any overpayment, to Deposit Account No. 19-0741. Should no proper payment be enclosed herewith, as by a check being in the wrong amount, unsigned, post-dated, otherwise improper or informal or even entirely missing, the Commissioner is authorized to charge the unpaid amount to Deposit Account No. 19-0741. If any extensions of time are needed for timely acceptance of papers submitted herewith, Applicant hereby petitions for such extension under 37 C.F.R. §1.136 and authorizes payment of any such extensions fees to Deposit Account No. 19-0741.

Examiner Quan is invited to contact the undersigned by telephone if it is felt that a telephone interview would advance the prosecution of the present application.

Respectfully submitted,

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